

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FRED BERGMAN HEALTHCARE PTY LTD. and
SIMAVITA (AUST) PTY LTD.,

Plaintiffs,

v.

SENECA SENSE TECHNOLOGIES INC.

Defendant.

C.A. No. 1:22-cv-02167

JURY TRIAL DEMANDED

JOINT STATUS REPORT

Pursuant to the Court's June 10, 2024, minute entry, Dkt. No. 80, the parties submit this joint status report.

Plaintiffs no longer wish to pursue settlement through mediation with the Court. As the Court may recall, during the last settlement conference the parties discussed the possibility of and generally agreed to new terms to facilitate settlement. Thereafter, counsel for Defendant served a proposal with those new terms. The proposal also contained several additional terms. Upon analysis of those additional terms, Plaintiffs no longer believes that a settlement is reasonably ascertainable.

Plaintiffs submit that the case be transferred back to Judge John R. Blakey with the recommendation that the stay remain in place until an appropriate schedule can be fashioned after the parties submit a joint status report as to the stage of the proceedings.

Defendant states that it has not received a counteroffer or a substantive explanation for Plaintiffs' rejection of its proposed offer. Defendant believes that even if Plaintiffs want to reject the proposed offer, further settlement discussions before this Court should continue to explore why

Plaintiffs have rejected the offer and if an agreement is possible.

Respectfully submitted,

Dated: June 20, 2024

K&L GATES LLP

/s/ Jeffery Gargano

Jeffery R. Gargano
Devon C. Beane
K&L GATES LLP
70 West Madison Street, Suite 3300
Chicago, Illinois 60602
Telephone: (312) 372-1121
jeffrey.gargano@klgates.com
devon.beane@klgates.com

Attorneys for Plaintiffs Fred Bergman Healthcare Pty Ltd. and Simavita (Aust) Pty Ltd.

MORGAN, LEWIS & BOCKIUS LLP

/s/ Michael Abernathy

Michael J. Abernathy
Scott D. Sherwin
Karon N. Fowler
Morgan, Lewis & Bockius LLP
110 N. Wacker Drive
Chicago, Illinois 60602
Telephone: 312-324-1447
mike.abernathy@morganlewis.com
scott.sherwin@morganlewis.com
karon.fowler@morganlewis.com

Attorneys for Defendant Seneca Sense Technologies Inc.